

HOUSE JOINT RESOLUTION 597

By Lollar

A RESOLUTION to direct the Tennessee Higher Education Commission to establish a committee on Internet privacy for higher education.

WHEREAS, public and private two- and four-year institutions of higher education in Tennessee are outsourcing internal e-mail services to webmail providers; and

WHEREAS, webmail applications give institutions of higher learning authorization and therefore ownership of all online chats, phone calls, blogger posts, you-tube browsing histories, location enabling services, and photo-sharing applications accessed through the student account; and

WHEREAS, webmail applications and services ease schools of higher learning's ability to gather highly detailed personal histories of individuals, including sensitive information; and

WHEREAS, webmail applications have yet to provide baseline fair information practice protections for students from the selling and transferring of data to third parties, for purposes unknown to an individual to whom the personally identifiable information pertains; and

WHEREAS, students are expected to post papers, essays, and exams on course management systems; and

WHEREAS, course management systems used by many schools of higher education have been found to have security flaws and vulnerabilities that could give computer hackers access to grades, exams, and faculty and student personal information; and

WHEREAS, there is no standard of transparency in university webmail and course management site privacy settings; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the Tennessee Higher Education Commission is directed to convene a

committee on Internet privacy for higher education that shall develop an "Internet Bill of Rights" to explain: (1) a university's ownership of all data used on university approved, web-based applications; (2) data storage on course management web sites; and (3) such other information deemed appropriate by the committee.

BE IT FURTHER RESOLVED, after adoption by the committee, the Tennessee Higher Education Commission shall encourage every public and private institution of higher learning in Tennessee to distribute the committee's Internet Bill of Rights to each incoming student and make a copy readily available on their web sites.

BE IT FURTHER RESOLVED, that the committee shall be comprised of seven (7) members appointed by the Tennessee Higher Education Commission that shall include: two (2) faculty members from institutions of higher learning in Tennessee; two (2) members who are administrators from institutions of higher learning in Tennessee, one (1) of whom shall be from a private institution of higher learning; two (2) students enrolled at a college or university in Tennessee, one (1) of whom shall be from a private institution of higher learning; and one (1) representative from an online course management company.

BE IT FURTHER RESOLVED, that the committee shall be convened no later than July 1, 2012, and shall complete its work prior to July 1, 2013, at which time it shall cease to exist.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared and transmitted to the executive director of the Tennessee Higher Education Commission.